

**REMARKS**

Claim 3 has been canceled without prejudice. Claims 1, 2 and 4-7 have been amended in order to more particularly point out and distinctly claim the applicant's invention.

Claims 1-7 are rejected under 35 U.S.C. §102(b) as being anticipated by Kasai (USP 4,866,687).

Kasai is directed to a system of optical disk storage for accessing an intended track on a disk through coarse and fine actuators. It is the position of the Office Action that counter 104 (column 6) is provided to increment the count value. Figs. 3 and 4 are cited to show a "level determining means." Kasai sets the slice level at an intermediate value between the maximum value and the minimum value of the envelope signal, and the fine actuator is controlled at the slice level of the coarse actuator on the assumption that the detection signal at the time of the end of the coarse movement and the detection signal at the time of the start of the fine movement are approximately the same.

On the other hand, claim 1, as amended, is patently distinct from the Kasai reference. Specifically, the edges of the TZC signal are counted in response to the movement of the pickup (and more specifically the direction of the movement of the pickup), and if the count value is incorrect, the incrementer increments the count value in accordance with the moving direction and the level of the TZC signal. The above features are not disclosed nor suggested in the Kasai reference. Furthermore, in accordance with the instant invention, as set forth in amended claim 1, it has the feature that the disk apparatus is expected to surely access the target position. On the

By: **Tadashi OKAJIMA et al.**

Serial No. **09/650,757**

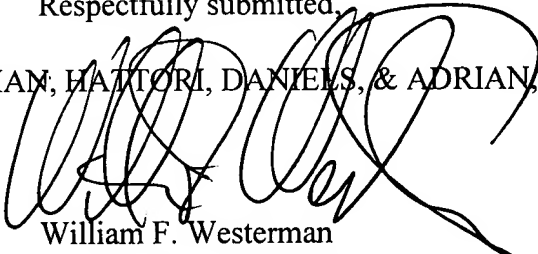
other hand, Kasai does not teach, nor suggest such an advantage.

In view of the amendments to the claims set forth above, applicants submits that the Examiner's rejection have been overcome. Accordingly, it is respectfully requested that the Examiner withdraw the rejection and allow present claims 1, 2 and 4-7.

In the event that this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. **50-2866**.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS, & ADRIAN, LLP



William F. Westerman  
Registration No. 29,988

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